GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Establishment – Forest Department – Smt. P. Syamala, Asst. Conservator of Forests – Inclusion in the panel of Assistant Conservators of Forests fit for promotion to the category of Deputy Conservator of Forests for the panel year 2015-16 and to assign notional promotion, on par with her junior, in relaxation of rules – Orders – Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (SEC.V) DEPARTMENT

G.O.Ms.No.71 Dated 28.06.2018.
Read the following:-

1) G.O.Ms.No.76, Environment, Forests, Science & Technology (Sec.V) Department, dated 30.07.2016.
2) G.O.Ms.No.77, Environment, Forests, Science & Technology (Sec.V) Department, dated 30.07.2016.
3) From the Principal Chief Conservator of Forests (HoFF), Andhra Pradesh, Guntur, Lr.Ref.No.11304/2016/Admn-2, dated 30.06.2017.
4) U.O. Note No.5484/Sec.V/2016-6, Environment, Forets, Science & Technology (Sec.V) Department, dated 17.08.2017.
5) U.O. Note No.4951/Ser.E/A1/2017-2, General Administration (Services-E) Department, dated 19.09.2017.
6) Memo.No.5484/Sec.V/2016-7, dated 01.11.2017 of Environment, Forests, Science & Technology Department.
7) From the Principal Chief Conservator of Forests (HoFF), Andhra Pradesh, Guntur, Lr.Rc.No.11304/2016/Admn-2, dated 30.05.2018.

ORDER:

Smt. P. Syamala was appointed as Assistant Conservator of Forests by direct recruitment on selection through the Andhra Pradesh Public Service Commission, 16.06.2010. She has completed training for four years on 30.06.2014. One Sri Sk. Mastan Vali, r/o Hyderabad filed O.A.No.6942 of 2010 in the Andhra Pradesh Administrative Tribunal, questioning the selection of Smt. P. Syamala to the category of Assistant Conservator of Forests by direct recruitment. In its order dated 16.03.2016, the Andhra Pradesh Administrative Tribunal allowed the said O.A. and set aside the selection of Smt. P. Syamala and consequently directed the Andhra Pradesh Public Service Commission to consider the case of the applicant for selection based on his merit in the said vacancy. Aggrieved, Smt. P. Syamala, Assistant Conservator of Forests filed W.P.No.15996 of 2016 in the High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh and got interim suspension of orders of Andhra Pradesh Administrative Tribunal, until further orders. The W.P. is still pending in the High Court for adjudication.

2. Therefore, the case of Smt. P. Syamala, Assistant Conservator of Forests was not placed before the Screening Committee for the panel year 2015-16 for preparation of Assistant Conservators of Forests fit for promotion to the category of Deputy Conservators of Forests, though she is eligible and qualified. The recommendations of the Screening Committee for preparation of panel of Assistant Conservators of Forests fit for promotion the category Deputy Conservator of Forests for the panel year 2015-16 were approved by the Government vide G.O. first read above and promotions were given to them, vide G.O. second read above.

3. Smt. P. Syamala, Assistant Conservator Forests filed O.A.No.2389 of 2016 in the Andhra Pradesh Administrative Tribunal seeking direction to the respondents to declare the probation along with her batch-mates and to consider her promotion to the category of Deputy Conservator of Forests. In its order, dated 25.02.2017, the Andhra Pradesh Administrative Tribunal disposed of the O.A. with a direction to consider the promotion

(P.T.O)

of the applicant to the post of Deputy Conservator of Forests for the panel year 2015-16, within a period of (8) weeks from the date of receipt of copy of the said order, subject to final decision of the High Court in W.P.No.15996 of 2016.

4. In the reference third read above, the Principal Chief Conservator of Forests (HoFF), A.P. has submitted proposal for inclusion of Smt. P. Syamala, Assistant Conservator of Forests in the panel year 2015-16 and to promote her to the category of Deputy Conservator of Forest on par with her juniors.

5. After careful examination of the matter, Government in exercise of the powers conferred under rule 25 of the Andhra Pradesh State and Subordinate Service Rules, 1996, have provisionally decided to review the panel of Assistant Conservator of Forests fit for promotion to the category of Deputy Conservator of Forests for the year 2015-16 and accordingly the matter was placed before the Review Screening Committee for its recommendation.

6. The Review Screening Committee met on 18.09.2017 at 3.00 P.M. and reviewed the panel. The Review Screening Committee held that while preparing the panel of 2015-16, the name of Sri K. Rjasekhara Rao (ST), Assistant Conservator of Forests has been included against RP-71 as per his seniority. But actually, his name has to be considered against CF RP-58 ST (W) (2011-12) as no eligible ST (W) Assistant Conservator of Forests is available. In the present, this issue has been considered and the name of Sri K. Rajasekhara Rao (ST) is filled against CF RP-58 ST (W) (2011-12) duly deleting his name at RP-71. With his inclusion, adequacy for ST category is achieved. Therefore, no further application of ROR is necessary in the present review. There are no further changes in ROR with present review.

7. After going through the ACRs, relevant records and other material papers relating to Smt. P. Syamala in the seniority list and after making an overall assessment of her service record and the work done, the Screening Committee considered that she is eligible for notional promotion in the category of Deputy Conservator of Forests on par with her juniors and accordingly recommended that her name be included at serial number 8 and against RP No. 65 below the name of Sri S. Venkatesh (Sl.No.7) and above the name of Sri P.J. Benarjee (SC) (Sl. No.9) in the panel of Assistant Conservator of Forests for promotion to the category of Deputy Conservator of Forests, for the panel year 2015-16, subject to final decision of the Hon'ble High Court in W.P.No.15996 of 2016.

8. Government have accepted the said recommendations of the Screening Committee and decided to take further action to include Smt. P. Syamala, Assistant Conservator of Forests in the panel of ACFs fit for promotion to the category of DCFs. Accordingly, in the reference 6th read above, show cause notice has been issued to the persons likely to be affected, for making representation, if any against the said decision.

9. Objections have been received from Ms. M. Babitha, Deputy Conservator of Forests, Smt. G. Krishna Priya, Deputy Conservator of Forests, Sri S. Venkatesh, Deputy Conservator of Forests, Sri P.J. Benarjee, Deputy Conservator of Forests, Sri K. Mahaboob Basha, Deputy Conservator of Forests and Smt. G.A.P. Prasuna, Deputy Conservator of Forests. They have objected the proposed revision of roster points and inclusion of the name of Smt. P. Syamala in the panel.

10. Government, having examined the objections, observe that change of roster point in respect of Sri K. Rajasekhara Rao, Deputy Conservator of Forest is according to recommendations of the Review Screening Committee to satisfy the rule of reservation and inclusion of name of Smt. P. Syamala, Assistant Conservator of Forests in the panel for the year 2015-16 is to comply with the directions of the Andhra Pradesh Administrative Tribunal, subject to outcome of W.P.No.15996 of 2016 filed by the individual in the High Court and as such they are untenable.

(Continued ...3)

11. Government have decided to confirm the provisional decision to include the name of Smt. P. Syamala in the panel of Assistant Conservator of Forests, fit for promotion to the category of Deputy Conservator of Forests, for the panel year 2015-16 and to place her at serial number 8 of the list below the name of Sri S. Venkatesh and above the name of Sri P.J. Benarjee, subject to final outcome of W.P. No. 15996 of 2016, in relaxation of rules. Accordingly, Government hereby order that Smt. P. Syamala shall be promoted to the category of Deputy Conservator of Forests by including her name in the panel year 2015-16, retrospective effect from the date of promotion of her immediate junior Sri P.J. Benarjee, Deputy Conservator of Forests, in relaxation of rule 33 (a) of A.P. State and Subordinate Service Rules, 1996, subject to outcome of W.P.No.15996 of 2016 pending on the file of the Hon'ble High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh.

12. The objections received are hereby rejected for the reasons mentioned at para-10 above.

13. The Principal Chief Conservator of Forests (HoFF), Andhra Pradesh, Guntur shall take further action and send necessary proposals to Government, forthwith.

(BY ORDRER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G.ANANTHA RAMU
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Principal Chief Conservator of Forests (HoFF),
Andhra Pradesh, Guntur.
Copy to:
The individual (through the Principal Chief Conservator
of Forests (HoFF), Andhra Pradesh, Guntur.
The P.S. to M (EFS & T).
The P.S. to Principal Secretary to Government,
E.F.S. & T. Department.

//FORWARDED :: BY ORDER//

SECTION OFFICER